

**DRAFT/UNAPPROVED
VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE**

Wednesday, September 24, 2008
Second Floor
Board Room 1

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233

CALL TO ORDER: A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

PRESIDING: Brandon Yi, Committee Chairman

MEMBERS PRESENT: Bobby Ison

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director
Mykl D. Egan, DHP Adjudication Specialist

JESSICA LARGE
Registration #0230-008988

Jessica Large appeared with individuals from Rx Services, Carmen Trent, pharmacist; William Deane, pharmacist-in-charge, and William Hancock, Omnicare Area Director, to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the September 9, 2008 Notice.

Closed Meeting: Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.27 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Jessica Large. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene: Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision: After consideration of the evidence and statements concerning the allegations, Mr. Ison moved, and the

Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 1.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Ms. Large unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Large within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

CARMEN TRENT
License #0202-207085

Carmen Trent appeared with individuals from Rx Services, Jessica Large, pharmacy technician; William Deane, pharmacist-in-charge; and William Hancock, Omicare Area Director, to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the September 9, 2008 Notice.

Closed Meeting:

Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.27 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Carmen Trent. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 2.

As provided by law, this decision shall become a final

Order thirty days after service of such Order on Ms. Trent unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Trent within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

SEAN CHAMPNEY
Registration #0230-011656

Sean Champney appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the August 19, 2008 Notice.

Closed Meeting:

Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.27 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Sean Champney. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, to offer a Consent Order to Mr. Champney adopting findings of fact and conclusions of law for the indefinite suspension of his registration. Further, the suspension shall be stayed once he enters into a Recovery Monitoring Contract with the Health Practitioners' Intervention Program and Mr. Champney be placed on Terms and conditions.

(This Consent Order shall be effective upon endorsement by Mr. Champney and the Board of the findings of fact, conclusions of law, and terms of the Consent Order.)

FAISAL M. KHAN
License #0202-206664

Faisal M. Khan appeared with Charles Witthoefft, his attorney; and Donna Whitney; and Heleen Anderson-Grant, HPIP Case Managers; to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the August 29, 2008 Notice.

Closed Meeting:

Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.27 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Faisal M. Khan. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Ison moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 3.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Mr. Khan unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Khan within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ADJOURN:

With all business concluded, the meeting adjourned at 4:40 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

Brandon Yi, Chair

Date

Attachment 1
Minutes - Board of Pharmacy
Special Conference Committee
September 24, 2008

Jessica Large

Findings of Fact and Conclusions of Law:

- Jessica M. Large holds registration number 0230-008988 issued by the Board to practice as a pharmacy technician in the Commonwealth of Virginia.
- Ms. Large violated § 54.1-3316(1) and (7) and § 54.1-3462(A)(1) of the Code in that, during the course of Ms. Large's employment as a pharmacy technician at RX Services, Williamson Drug Company, Inc., Abingdon, Virginia, on December 26, 2007, she prepared a prescription with Thorazine 100mg tablets (chlorpromazine HCL, Schedule VI) instead of the prescribed 10mg tablets. The cassette was mislabeled as containing 10mg tablets. After taking the medication for one day, the patient was hospitalized for a Thorazine overdose.

Sanction

- It is hereby ORDERED that Jessica M. Large shall successfully complete two (2) hours of continuing pharmacy education in the subject of medication errors.

Attachment 2
Minutes - Board of Pharmacy
Special Conference Committee
September 24, 2008

Carmen Trent

Findings of Fact and Conclusions of Law:

- Carmen M. Trent holds license number 0202-207085 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- Ms. Trent violated § 54.1-3316(1) and (7), § 54.1-3320(A)(1) and (6), and § 54.1-3462(A)(1) of the Code, and 18 VAC 110-20-270(C) of the Board of Pharmacy Regulations, in that during the course of Ms. Trent's employment as a pharmacist at RX Services, Williamson Drug Company, Inc., Abingdon, Virginia, on December 26, 2007, she dispensed a prescription with Thorazine 100mg tablets (chlorpromazine HCL, Schedule VI) instead of the prescribed 10mg tablets. The cassette was mislabeled as containing 10mg tablets. After taking the medication for one day, the patient was hospitalized for a Thorazine overdose.
- Ms. Trent stated to the Committee that, at the time of the above error, the verification of accuracy of prescriptions did not include a visual confirmation of the drug to be dispensed and the prescribed drug. Since that time, the accuracy verification process has been changed to require a visual verification and a bar code scan to ensure that the proper drug is dispensed.

Sanction

- It is hereby ORDERED that Carmen M. Trent shall successfully complete four (4) hours of continuing pharmacy education in the subject of medication errors.

Attachment 3
Minutes - Board of Pharmacy
Special Conference Committee
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Faisal M. Khan

Findings of Fact and Conclusions of Law:

- Faisal M. Khan holds license number 0202-206664 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- Mr. Khan violated § 54.1-3316(6) and (7) and § 54.1-3303(A) of the Code, and 18 VAC 110-20-270(C) of the Board of Pharmacy Regulations, in that between December 2007, and January 2, 2008, he forged at least two prescriptions for Percocet (oxycodone, Schedule II) for his personal and unauthorized use.
- Mr. Khan violated § 54.1-3316(4) of the Code in that he may be unsafe to practice pharmacy due to substance abuse, for which he is currently undergoing treatment.
- Mr. Khan signed a Participation Contract and then a Recovery Monitoring Contract with the Health Practitioners' Intervention Program ("HPIP") on January 7, 2008, and May 3, 2008, respectively.
- Mr. Khan successfully attended the William J. Farley Center at Williamsburg Place, Williamsburg, Virginia between January and April 2008.
- Donna Whitney, Mr. Khan's first HPIP case manager, stated to the Committee that Mr. Khan's contract requires that he undergo thirty-six (36) random drug screens a year, and that he has had negative results for the twelve (12) screens he has had thus far.
- Mr. Khan stated to the Committee that he has a sponsor and is currently working on step 4 of a 12-step program. Additionally, he stated that he is not currently practicing as a pharmacist
- Both Ms. Whitney and his current HPIP case manager, Heleen Anderson-Grant, are supportive of Mr. Khan retaining his license, but have not yet discussed his return to the practice of pharmacy.

Sanction

- It is hereby ORDERED that Faisal M. Khan's pharmacist license be placed on PROBATION with the following terms and conditions:
- The period of probation shall begin on the date that this Order is entered and shall continue INDEFINITELY. Mr. Khan may petition the Board to end his probation after he has been successfully discharged from HPIP.
- Mr. Khan shall comply with all terms and conditions for the period specified by HPIP.
- Any violation of the terms and conditions of HPIP or any of the terms and conditions stated in this Order shall be reason for revoking the license of Mr. Khan, and an administrative proceeding shall be held to decide whether Mr. Khan's license shall be revoked. Mr. Khan shall be noticed to appear at an administrative hearing at such time as the Board is notified that:
 - Mr. Khan is not in compliance with the terms and conditions specified by HPIP;
 - Mr. Khan's participation in HPIP has been terminated;
 - There is a pending investigation or unresolved allegation against Mr. Khan involving a violation of law, regulation, or any term or condition of this Order.
- Mr. Khan shall maintain a course of conduct commensurate with the requirements of Chapters 33 and 34, Title 54.1 of the Code.